

In re the marriage of:

_____,
PETITIONER (Your Name)

and

_____,
RESPONDENT (Your Spouse's Name)

(Mark only one with an X)

☐ **STATE OF WISCONSIN is NOT a party**

☐ **STATE OF WISCONSIN IS a party**

Petition

With Minor Children

Case # _____

(Mark only one with an X)

☐ **Divorce-40101**

☐ **Legal Separation-40201**

I. I am petitioning the court for relief, and I am giving the following information:

1. My full name (the PETITIONER) is _____
(First) (M.I.) (Last)
My Social Security Number is _____
My Date of Birth is _____, 19____
(Month) (Day) (Year)
My Address is _____, Apt # _____
(Street Address)
_____, (City) (State) (ZIP Code)
I work as a(n) _____
(Job Title)
2. My Spouse's full name (the RESPONDENT) is _____
(First) (M.I.) (Last)
My Spouse's Social Security Number is _____
My Spouse's Date of Birth is _____, 19____
(Month) (Day) (Year)
My Spouse's Address is _____, Apt # _____
(Street Address)
_____, (City) (State) (ZIP Code)
My Spouse works as a(n) _____
(Job title)
3. My spouse and I were married on _____
(Month) (Day) (Year).
We were married in _____
(City) (State)

4. List the names, dates of birth, and social security numbers of all children born to or adopted by you **and** your spouse during your marriage or relationship, **and** other children born to the wife during the marriage. Mark an **X** in the box on the left if the husband is **NOT** believed to be the biological father of that child(ren).

Name	Birth date	Soc. Sec. Number
<input type="checkbox"/> _____ (First) (M.I.) (Last)	____/____/____ (Mo) (Day) (Yr)	____-____-____
<input type="checkbox"/> _____ (First) (M.I.) (Last)	____/____/____ (Mo) (Day) (Yr)	____-____-____
<input type="checkbox"/> _____ (First) (M.I.) (Last)	____/____/____ (Mo) (Day) (Yr)	____-____-____
<input type="checkbox"/> _____ (First) (M.I.) (Last)	____/____/____ (Mo) (Day) (Yr)	____-____-____
<input type="checkbox"/> _____ (First) (M.I.) (Last)	____/____/____ (Mo) (Day) (Yr)	____-____-____
<input type="checkbox"/> _____ (First) (M.I.) (Last)	____/____/____ (Mo) (Day) (Yr)	____-____-____

5. Mark only one with an **X**.
☐ To the best of my knowledge, the wife is **not** currently pregnant.
☐ To the best of my knowledge, the wife **is** currently pregnant and husband ☐ **is** ☐ **is NOT** the biological father.

6. Mark only one with an **X**.
☐ BOTH PARTIES ☐ I, the PETITIONER, ☐ My Spouse, the RESPONDENT have/has lived in Waukesha County for more than thirty (30) days before the filing of this case.

7. Mark only one with an **X**.
☐ BOTH PARTIES ☐ I, the PETITIONER, ☐ My Spouse, the RESPONDENT have/has lived in the State of Wisconsin for more than six (6) months before the filing of this case.

8. ☐ **The marriage is irretrievably broken.**
☐ The marriage **is broken**. I am filing for a Legal Separation because: _____

9. Mark all that apply with an **X**.
☐ My spouse and I have never before filed for divorce or legal separation from each other in Wisconsin or any other state.

☐ I, the PETITIONER, have filed for divorce from this marriage before.

I filed for divorce in _____, _____
(City) (State)

The case number was _____

The case was dismissed on _____
(Month) (Day) (Year)

☐ My spouse, the RESPONDENT, has filed for divorce from this marriage before.

My spouse filed for divorce in _____, _____
(City) (State)

The case number was _____

The case was dismissed on _____
(Month) (Day) (Year)

10. Mark all that apply with an **X**. If you do not know the answer, write in unknown.

☐ NEITHER I, nor my spouse, have been married before to each other or anyone else.

☐ I, the PETITIONER, was married before to _____
(Name)

The marriage was terminated by ☐ Divorce ☐ Annulment ☐ Death

Date of divorce, annulment, or death _____
(Month) (Day) (Year)

The divorce was granted in _____, _____
(City or County) (State)

☐ My spouse, the RESPONDENT, was married before to _____
(Name)

The marriage was terminated by ☐ Divorce ☐ Annulment ☐ Death

Date of divorce, annulment, or death _____
(Month) (Day) (Year)

The divorce was granted in _____, _____
(City or County) (State)

Do you have additional marriages to report?

☐ No ☐ Yes (Report additional marriages on page 7 and then return to paragraph #11)

11. According to Wisconsin Statute 840.10, the court will need to confirm or change the ownership of all real estate owned by you and/or your spouse: List addresses of all real estate (house, lot, hunting cabin, vacant land, timeshare, etc.). If you do not own real estate, write **NA** on the line below. (Use a separate page to report additional real estate)

(Street Address) (City) (State) (ZIP Code)

(Street Address) (City) (State) (ZIP Code)

☐ Additional real estate to report.

12. Mark only one with an **X**.

☐ **We have** ☐ **We do not have** any written agreement that relates to child support, legal custody of the child(ren), maintenance of either party, or property division. **If there is a written agreement, attach a copy.**

13. Mark only one with an **X**.
☐ **Both parties are** ☐ **I, the PETITIONER, am** ☐ **My spouse, the RESPONDENT, is**
the only fit and proper person(s) to have the care, legal custody, and placement of the minor
child(ren).

II. In compliance with Wisconsin Statute 822.09, I (the PETITIONER) state:

1. The minor child(ren) currently live with, (Mark only one with an **X**)
☐ BOTH PARTIES ☐ ME (PETITIONER) ☐ MY SPOUSE (RESPONDENT)
☐ OTHER PERSON (name) _____
(At this address) _____

☐ Additional information is attached.
2. Within the last five years, the minor child(ren) have lived with, (Mark only one with an **X**)
☐ BOTH PARTIES ☐ ME (PETITIONER) ☐ MY SPOUSE (RESPONDENT)
☐ OTHER PERSON (name) _____
(At these addresses) _____

☐ Additional information is attached.

If any of the following statements are not completely accurate you must change the words to correct them.

3. I, the PETITIONER, have not previously participated as a party, witness, or in any other
capacity or court case concerning the custody of the above-named child(ren) in Wisconsin or
any other state.
4. I, the PETITIONER, am unaware of any other custody proceeding concerning the minor
child(ren) in a court of Wisconsin or any other state.
5. I, the PETITIONER, know of no other person, other than my spouse, who has physical custody
of the minor child(ren) or claims to have legal custody, physical placement, or visitation rights
with respect to the above-named child(ren).
6. I, the PETITIONER, understand that it is my responsibility to inform the court of any custody
proceedings started, concerning the child(ren), in Wisconsin or any other state.

III. I, THE PETITIONER, REQUEST THE FOLLOWING FROM THE COURT:

A. (Mark only one in Section A with an **X**)

- ☐ Divorce
☐ Legal Separation

B. (Mark all that apply in Section B with an **X**)

- ☐ A division of our property

Order granting (Mark only one with an **X**)

☐ **BOTH PARTIES** joint legal custody of the minor child(ren)

☐ **Me (the PETITIONER)** ☐ **My Spouse (the RESPONDENT)** sole legal custody of the minor child(ren)

Order allocating (Mark only one with an **X**)

☐ Periods of physical placement between **BOTH PARTIES**

☐ **Me (the PETITIONER)** ☐ **My spouse (the RESPONDENT)** primary physical placement of the minor child(ren)

☐ My spouse to pay child support for the minor child(ren)

☐ My spouse to pay maintenance

☐ My spouse to pay an appropriate amount of my attorney's fees

☐ Other remedies I may be entitled to

☐ Restoration of my name to one I have used before

RESTRAINING ORDER

IT IS THE ORDER OF THE COURT THAT, according to sec. 767.087, Stats., neither I nor my spouse can participate in any of the following activities while this divorce is pending, and if either of us does, we may be held in contempt of court.

1. Harassing, intimidating, physically abusing or imposing any restraint on the personal liberty of the other party or a minor child of either of the parties.
2. Encumbering, concealing, damaging, destroying, transferring, or in any other way disposing of property owned by either or both of the parties, without the consent of the other party or an order of the court or the Family Court Commissioner, except in the usual course of business, in order to secure necessities or in order to pay reasonable costs and expenses of the action, including attorney fees.
3. Establishing a residence with a minor child of the parties outside the state of Wisconsin or more than 150 miles from the residence of the other party within the state without the consent of the other party or an order of the court or Family Court Commissioner.
4. Removing a minor child of the parties from the state of Wisconsin for more than 90 consecutive days without the consent of the other party or an order of the court or Family Court Commissioner.

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5. Concealing a minor child of the parties from the other party without the consent of the other party or an order of the court or Family Court Commissioner.

Except that a violation of paragraphs 3, 4, or 5 above is not a contempt of court if the court finds that the action was taken to protect a party or a minor child of the parties from physical abuse by the other party and that there was no reasonable opportunity under the circumstances for the party to obtain an order authorizing the action.

These **RESTRAINING ORDERS** apply until the action is dismissed, a final judgment in the action is entered, or the court orders otherwise.

A VIOLATION OF THE ABOVE RESTRAINING ORDERS MAY RESULT IN PUNISHMENT FOR CONTEMPT, WHICH MAY INCLUDE MONETARY PENALTIES, IMPRISONMENT, AND OTHER SANCTIONS AS PROVIDED FOR IN SEC. 785.04 STATS.

Dated this _____ day of _____, 20____.

(Day) (Month) (Year)

Signature of PETITIONER appearing pro se (without an attorney)

ADDITIONAL MARRIAGES

PETITIONER

☐ I, the PETITIONER, was married before to _____
The marriage was terminated by ☐ Divorce ☐ Annulment ☐ Death
Date of divorce, annulment, or death _____
The divorce was granted in _____,
(City or County) (State)

☐ I, the PETITIONER, was married before to _____
The marriage was terminated by ☐ Divorce ☐ Annulment ☐ Death
Date of divorce, annulment, or death _____
The divorce was granted in _____,
(City or County) (State)

☐ I, the PETITIONER, was married before to _____
The marriage was terminated by ☐ Divorce ☐ Annulment ☐ Death
Date of divorce, annulment, or death _____
The divorce was granted in _____,
(City or County) (State)

RESPONDENT

☐ My spouse, the RESPONDENT, was married before to _____
The marriage was terminated by ☐ Divorce ☐ Annulment ☐ Death
Date of divorce, annulment, or death _____
The divorce was granted in _____,
(City or County) (State)

☐ My spouse, the RESPONDENT, was married before to _____
The marriage was terminated by ☐ Divorce ☐ Annulment ☐ Death
Date of divorce, annulment, or death _____
The divorce was granted in _____,
(City or County) (State)

☐ My spouse, the RESPONDENT, was married before to _____
The marriage was terminated by ☐ Divorce ☐ Annulment ☐ Death
Date of divorce, annulment, or death _____
The divorce was granted in _____,
(City or County) (State)

Continue on page 3, paragraph #11